

## REMARKS/ARGUMENTS

Claims 16-20, and 24-45, and 47 are cancelled without prejudice or disclaimer.

Claims 12 and 48-51 are withdrawn without prejudice to the Applicant's right to file one or more divisional applications, and without prejudice to Applicant's right to reintroduce subject-matter of the withdrawn claims for consideration upon allowance of a generic claim.

Claims 52-59 are newly submitted herewith.

### A. Remarks Regarding Restriction/Election

The Examiner required restriction between the following two inventions identified in the application:

- I: Claims 1-23, 46, 48-51 (jewelry with lens)
- II: Claims 24-45, 47 (method of forming jewelry)

Applicant submits that the claims of Invention II have been cancelled, so that this request is now moot. To the extent that the Restriction may be considered applicable to the claims on file pursuant to this amendment, **Applicant elects Invention I.**

The Examiner further requested restriction to a single Species from a total of 13 Species identified by the Examiner. **Applicant elects Species 1, figures 2a – 2c.** Applicant submits that claims 1-11, 13-15, 21-23, 46, and 52-59 are readable on Species 1.

Applicant submits that this submission is fully responsive to the Office Action. An action on the merits is respectfully requested. If further issues regarding the restriction persist, the Examiner is invited to telephone Applicant's representative at the telephone number listed below.

We note that the above-referenced Office Action which was mailed from the U.S. Patent Office on September 15, 2005 was addressed to Bereskin and Parr in Toronto, Canada. We provide copies herewith of two executed Revocations of Power of Attorney with New Power of Attorney and Change of Correspondence Address forms appointing **Customer Number 00959** which were filed with the U.S. Patent Office on March 22, 2005. **Please change all records accordingly.**

Dated: October 17, 2005

Respectfully submitted,

By 

Anthony A. Laurentano

Registration No. 38,220

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant